

## EXHIBIT 392

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF OHIO  
3 EASTERN DIVISION  
4

5 -----) MDL No. 2804

6 IN RE: NATIONAL PRESCRIPTION )

7 OPIATE LITIGATION )

8 -----) Case No. 17-md-2804

9 THIS DOCUMENT RELATES TO: )

10 ALL CASES )

11 -----) Hon. Dan A. Polster

12

13 HIGHLY CONFIDENTIAL

14 SUBJECT TO FURTHER CONFIDENTIALITY REVIEW

15

16 VIDEOTAPED DEPOSITION OF

17 SHERRI HINKLE

18

19 January 25, 2019

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21 Indianapolis, Indiana

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| Page 2   | Page 4   |
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| <p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5 The videotaped deposition of SHERRI</p> <p>6 HINKLE, called by the Plaintiffs for examination,</p> <p>7 taken pursuant to the Federal Rules of Civil Procedure</p> <p>8 of the United States District Courts pertaining to the</p> <p>9 taking of depositions, taken before JULIANA F.</p> <p>10 ZAJICEK, a Registered Professional Reporter and a</p> <p>11 Certified Shorthand Reporter, at the Indianapolis</p> <p>12 Marriott Downtown, Texas Room, 350 West Maryland</p> <p>13 Street, Indianapolis, Indiana, on January 25, 2019, at</p> <p>14 8:56 a.m.</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>  | <p>1 APPEARANCES: (Continued)</p> <p>2 ON BEHALF OF CARDINAL HEALTH, INC.:</p> <p>3 ARMSTRONG TEASDALE LLP</p> <p>4 7700 Forsyth Boulevard, Suite 1800</p> <p>5 St. Louis, Missouri 63105</p> <p>6 314-621-5070</p> <p>7 BY: SARAH E. HARMON, ESQ.</p> <p>8 sharmon@ArmstrongTeasdale.com</p> <p>9</p> <p>10 ON BEHALF OF CVS INDIANA, LLC AND CVS RX SERVICES,</p> <p>11 INC.:</p> <p>12 ZUCKERMAN SPAEDER LLP</p> <p>13 1800 M Street, NW, Suite 1000</p> <p>14 Washington, D.C. 20036</p> <p>15 202-778-1800</p> <p>16 BY: R. MILES CLARK, ESQ.</p> <p>17 mclark@zuckerman.com;</p> <p>18 PAUL B. HYNES, JR., ESQ.</p> <p>19 phynes@zuckerman.com</p> <p>20</p> <p>21 ON BEHALF OF ENDO HEALTH SOLUTIONS INC., ENDO</p> <p>22 PHARMACEUTICALS INC., PAR PHARMACEUTICAL COMPANIES,</p> <p>23 INC.:</p> <p>24</p> <p>ARNOLD &amp; PORTER KAYE SCHOLER LLP</p> <p>250 West 55th Street</p> <p>New York, New York 10019-9710</p> <p>212-836-7408</p> <p>BY: ZENO HOUSTON, ESQ. (Telephonically)</p> <p>zeno.houston@arnoldporter.com</p> <p>ON BEHALF OF WALMART INC.:</p> <p>JONES DAY</p> <p>77 West Wacker Drive</p> <p>Chicago, Illinois 60601-1692</p> <p>312-269-4164</p> <p>BY: PAMELA I. YAACOU, ESQ. (Telephonically)</p> <p>pyaacoub@jonesday.com</p> |
| Page 3   | Page 5   |
| <p>1 APPEARANCES:</p> <p>2 ON BEHALF OF THE PLAINTIFFS:</p> <p>3 WEISMAN KENNEDY &amp; BERRIS CO LPA</p> <p>4 1600 Midland Building</p> <p>5 101 Prospect Avenue</p> <p>6 Cleveland, Ohio 44115</p> <p>7 216-781-1111</p> <p>8 BY: DANIEL P. GOETZ, ESQ.</p> <p>9 dgoetz@weismanlaw.com</p> <p>10 -and-</p> <p>11 MOTLEY RICE LLC</p> <p>12 28 Bridgeside Boulevard</p> <p>13 Mt. Pleasant, South Carolina 29464</p> <p>14 843-216-9250</p> <p>15 BY: MICHAEL E. ELSNER, ESQ.</p> <p>16 melsner@motleyrice.com</p> <p>17 -and-</p> <p>18 GARSON JOHNSON LLC</p> <p>19 101 West Prospect Avenue</p> <p>20 Midland Building, Suite 1610</p> <p>21 Cleveland, Ohio 44115</p> <p>22 216-696-9330</p> <p>23 BY: JAMES A. DEROCHÉ, ESQ. (Telephonically)</p> <p>24 jderoché@garson.com</p> <p>ON BEHALF OF AMERISOURCEBERGEN CORPORATION and</p> <p>AMERISOURCEBERGEN DRUG CORPORATION:</p> <p>REED SMITH LLP</p> <p>136 Main Street, Suite 250</p> <p>Princeton Forrestal Village</p> <p>Princeton, New Jersey 08540</p> <p>609-987-0050</p> <p>BY: SHANA E. RUSSO, ESQ. (Telephonically)</p> <p>srusso@reedsmith.com</p> | <p>1 ALSO PRESENT:</p> <p>2 PATTI CARDINAL, Paralegal (Telephonically)</p> <p>3 Garson Johnson, LLC;</p> <p>4</p> <p>5 KAITLYN EEKHOFF, Law Clerk,</p> <p>6 Motley Rice LLC</p> <p>7 JOHN KNOWLES, Trial Technician</p> <p>8</p> <p>9 THE VIDEOGRAPHER:</p> <p>10</p> <p>11 MR. ANTHONY MICHELETTO,</p> <p>12 Golkow Litigation Services</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>   |

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| <p style="text-align: right;">Page 6</p> <p style="text-align: center;">I N D E X</p> <p>1</p> <p>2</p> <p>3 WITNESS: PAGE:</p> <p>4 SHERRI HINKLE</p> <p>5 EXAM BY MR. ELSNER..... 8</p> <p>6</p> <p>7 *****</p> <p>8</p> <p>9 E X H I B I T S</p> <p>10 EXHIBIT NUMBER MARKED FOR ID</p> <p>11 NO EXHIBITS MARKED.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>   | <p style="text-align: right;">Page 8</p> <p>1 THE VIDEOGRAPHER: Counsel on the phone?</p> <p>2 MS. YAACOUB: Pamela Yaacoub from Jones Day on</p> <p>3 behalf of Walmart.</p> <p>4 MS. RUSSO: Shana Russo on behalf of</p> <p>5 AmerisourceBergen Drug Corporation and</p> <p>6 AmerisourceBergen Corporation.</p> <p>7 MR. HOUSTON: Zeno Houston from Arnold &amp; Porter</p> <p>8 on behalf of the Endo and Par defendants.</p> <p>9 THE VIDEOGRAPHER: Our court reporter today is</p> <p>10 Juliana Zajicek.</p> <p>11 Please swear in the witness.</p> <p>12 (WHEREUPON, the witness was duly</p> <p>13 sworn.)</p> <p>14 SHERRI HINKLE,</p> <p>15 called as a witness herein, having been first duly</p> <p>16 sworn, was examined and testified as follows:</p> <p>17 EXAMINATION</p> <p>18 BY MR. ELSNER:</p> <p>19 Q. Good morning.</p> <p>20 A. Good morning.</p> <p>21 Q. My name is Mike Elsner and I represent the</p> <p>22 Plaintiffs in the case and I'm going to be asking you</p> <p>23 a few questions this morning, okay?</p> <p>24 A. Okay.</p> |
| <p style="text-align: right;">Page 7</p> <p>1 THE VIDEOGRAPHER: We are now on the record. My</p> <p>2 name is Anthony Micheletto. I am a videographer for</p> <p>3 Golkow Litigation Services.</p> <p>4 Today's date is January 25th, 2019. The</p> <p>5 time is 8:56 a.m., as indicated on the video screen.</p> <p>6 This video deposition is being held in</p> <p>7 Indianapolis, Indiana, in the matter of In Re National</p> <p>8 Prescription Opiate Litigation, for the United States</p> <p>9 District Court for the Northern District of Ohio,</p> <p>10 Eastern Division.</p> <p>11 Our deponent is Sherri Hinkle.</p> <p>12 Will counsel please identify themselves</p> <p>13 for the video record.</p> <p>14 MR. ELSNER: My name is Michael Elsner from</p> <p>15 Motley Rice on behalf of Plaintiffs.</p> <p>16 MR. GOETZ: Daniel Goetz on behalf of the</p> <p>17 Plaintiffs.</p> <p>18 MS. HARMON: Sarah Harmon of Armstrong &amp;</p> <p>19 Teasdale on behalf of Cardinal Health.</p> <p>20 MR. CLARK: Miles Clark, Zuckerman Spaeder, on</p> <p>21 behalf of CVS Indiana, LLC, CVS Rx Services, Inc. and</p> <p>22 the witness.</p> <p>23 MR. HYNES: Paul Hynes, Zuckerman Spaeder LLP,</p> <p>24 on behalf of same parties.</p> | <p style="text-align: right;">Page 9</p> <p>1 Q. If you ever need to take a break, just let</p> <p>2 us know and we can go off the record and take a quick</p> <p>3 break, okay?</p> <p>4 A. Okay.</p> <p>5 Q. Can you tell us your full name?</p> <p>6 A. Sherri Lynn Hinkle.</p> <p>7 Q. Okay. And where are you from?</p> <p>8 A. Indianapolis, Indiana.</p> <p>9 Q. Okay. Have you lived your whole life in</p> <p>10 Indiana?</p> <p>11 A. Yes.</p> <p>12 Q. Okay. And have you ever been deposed</p> <p>13 before?</p> <p>14 A. No.</p> <p>15 Q. Okay. Besides your attorney Mr. Hynes,</p> <p>16 did you speak with anyone else about your deposition</p> <p>17 today?</p> <p>18 A. No.</p> <p>19 Q. Okay. Did you read any depositions that</p> <p>20 were taken in this case?</p> <p>21 A. No.</p> <p>22 Q. Okay. Can you describe for me your</p> <p>23 educational background?</p> <p>24 A. I went to high school at -- at Arsenal</p>  |

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1 Tech here in Indianapolis and I went to Indiana  
2 University in Bloomington.  
3 Q. All right. Did you graduate with a degree  
4 from Indiana University?  
5 A. Yes. A general studies degree.  
6 Q. A general studies degree.  
7 And when was that?  
8 A. In '89.  
9 Q. Okay. What was your first job after you  
10 graduated from the university?  
11 A. I worked at a daycare.  
12 Q. Okay. How long did you do that?  
13 A. Five, six years.  
14 Q. All right. And what did you -- so that  
15 was about, what, '89 to, what, '93, '94 or something  
16 like that?  
17 A. '92.  
18 Q. '92, okay.  
19 What did you do after that?  
20 A. I went -- followed CVS.  
21 Q. Okay. And in 1992, did you work for CVS  
22 or did you work for Revco?  
23 A. It was Hooks at the time.  
24 Q. Hooks, okay.

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1 A. Hooks at the time.  
2 Q. And what were you doing for Hooks?  
3 A. I was a picker.  
4 Q. A picker. All right.  
5 And did Hooks distribute controlled  
6 substances?  
7 A. I don't know.  
8 Q. No.  
9 Did Hicks [sic] distribute  
10 pharmaceuticals, drugs?  
11 A. I don't know.  
12 Q. No.  
13 So what were you --  
14 MR. HYNES: I think she said "I don't know."  
15 MR. ELSNER: Oh.  
16 MR. HYNES: Did you say "I don't know" or did  
17 you say "No"?  
18 THE WITNESS: "I don't know."  
19 MR. HYNES: Yeah.  
20 MR. ELSNER: Oh, I'm sorry. I missed --  
21 MR. HYNES: So I think she said -- I think both  
22 answers were "I don't know" to those two questions.  
23 BY MR. ELSNER:  
24 Q. Okay. What were you picking when you were

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1 working for Hooks?  
2 A. When I started, I was doing makeup and  
3 hair products.  
4 Q. Okay. And how long did you work for  
5 Hooks?  
6 A. It was a year before they switched over to  
7 Revco.  
8 Q. To Revco, okay.  
9 And then when you started at Revco, were  
10 you still doing makeup, picking?  
11 A. I was still picking, yes.  
12 Q. Okay. And -- and the same products?  
13 A. Yes.  
14 Q. Okay. And how long did you work as a  
15 picker at Revco?  
16 A. Maybe six months before. Maybe six  
17 months.  
18 Q. And then it changed over to CVS?  
19 A. Yes.  
20 Q. Okay. And when it changed to CVS, were  
21 you -- were you still working as a picker?  
22 A. I -- I was working as a stocker then.  
23 Q. As a stocker, okay.  
24 Why did that change?

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1 A. Different job position. It came with  
2 regular work.  
3 Q. And you applied for that?  
4 A. Um-hum.  
5 Q. Okay. And what were you stocking as a  
6 stocker?  
7 A. I was stocking in the -- in the Rx  
8 department then.  
9 Q. Okay. So -- so you were -- by Rx, you  
10 mean pharmaceuticals or drugs?  
11 A. Um-hum. The pharmaceutical, yes.  
12 Q. Okay. And were those controlled  
13 substances?  
14 A. Yes.  
15 Q. Okay. And if I'm right about this, CVS  
16 purchased Revco around 1998.  
17 Does that sound about right when you --  
18 A. I don't remember.  
19 Q. Okay. But all of this was in the same  
20 building, is that right?  
21 A. Yes.  
22 Q. Okay. And that's the same building you  
23 work today?  
24 A. Yes.

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| <p style="text-align: right;">Page 14</p> <p>1 Q. Okay. How long did you work as a stocker<br/>2 of drugs for CVS?<br/>3 A. Maybe about six -- maybe four, five years.<br/>4 I don't remember.<br/>5 Q. Okay. And when did -- and -- and then<br/>6 what position did you take?<br/>7 A. Inventory control.<br/>8 Q. Okay. What is inventory control?<br/>9 A. We keep track of all of the products in<br/>10 the Rx department.<br/>11 Q. Okay. So it's inventory control for<br/>12 pharmaceuticals, is that right?<br/>13 A. Yes.<br/>14 Q. Are you responsible for inventory control<br/>15 of any other products?<br/>16 A. Because I do the cage now, controlled<br/>17 substances now.<br/>18 Q. Okay. I -- I'm going to just focus --<br/>19 before we get to the cage, I want to just focus on<br/>20 inventory.<br/>21 Well -- well, when you started in<br/>22 inventory control, was it in the cage or outside of<br/>23 the cage?<br/>24 A. When I first started, it was outside the</p> | <p style="text-align: right;">Page 16</p> <p>1 you started to work with controlled substances?<br/>2 A. I don't remember.<br/>3 MR. HYNES: Objection to form.<br/>4 Go ahead.<br/>5 BY THE WITNESS:<br/>6 A. I don't remember.<br/>7 BY MR. ELSNER:<br/>8 Q. Okay. Who told you the procedures of<br/>9 working in the control cage?<br/>10 A. I don't remember her name.<br/>11 Q. Okay.<br/>12 Do you know, did you watch videos or<br/>13 review manuals or did you speak with someone? Was it<br/>14 kind of on-the-job training?<br/>15 MR. HYNES: Objection to form.<br/>16 BY THE WITNESS:<br/>17 A. I don't remember.<br/>18 BY MR. ELSNER:<br/>19 Q. Okay. Were your duties -- describe for me<br/>20 your duties as -- as inventory control for controlled<br/>21 substances.<br/>22 A. I keep track of the inventory.<br/>23 Q. Okay. And how do you do that?<br/>24 A. We do an inventory -- at the end of the</p>  |
| <p style="text-align: right;">Page 15</p> <p>1 cage.<br/>2 Q. Okay. Tell me how long you did that.<br/>3 A. I still do it. So, almost 20 -- almost<br/>4 15, 16 years, because I still do it now.<br/>5 Q. You still do it now?<br/>6 A. Um-hum.<br/>7 Q. Okay. So when you were doing inventory<br/>8 control for pharmaceuticals, at what -- did it include<br/>9 controlled substances the whole time or when did you<br/>10 start working in controlled substances?<br/>11 A. It start that year after.<br/>12 Q. A year after?<br/>13 A. Um-hum.<br/>14 Q. Okay. So what's your best estimate as to<br/>15 the year that that -- that that happened? Is it 2000,<br/>16 2001?<br/>17 A. Probably 2001.<br/>18 Q. 2001, okay.<br/>19 And so in 2001, that's the first year you<br/>20 started working with controlled --<br/>21 A. Yes.<br/>22 Q. -- substances, right?<br/>23 Okay. What training did you receive, if<br/>24 any, that was different than your prior training when</p>           | <p style="text-align: right;">Page 17</p> <p>1 day, we count -- we do a -- we have to count up all<br/>2 the products in the -- in the CSA cage, in the<br/>3 controlled substances.<br/>4 Q. Okay.<br/>5 And -- and is that done -- when you<br/>6 started doing that in 2001, was that done by hand?<br/>7 A. Yes.<br/>8 Q. Okay.<br/>9 And what do you -- describe for me that<br/>10 process. Are you -- do you -- given a checklist or do<br/>11 you --<br/>12 A. We are given a checklist.<br/>13 Q. Okay. And -- and the checklist has a list<br/>14 of every controlled substance in the cage?<br/>15 A. Yes, yes.<br/>16 Q. Okay. And your job was to go through the<br/>17 cage and check at the end of the day how many -- how<br/>18 many what?<br/>19 A. How many pieces are there.<br/>20 Q. Pieces.<br/>21 Now, when you -- when you are looking at<br/>22 the cage and you are counting pieces, are you looking<br/>23 at the actual drug name or does it have a number or a<br/>24 code --</p> |

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| <p style="text-align: right;">Page 18</p> <p>1 A. A name.</p> <p>2 Q. -- or does it have a tub num --</p> <p>3 A. It has the name.</p> <p>4 Q. -- a tub number?</p> <p>5 A. We look up their names.</p> <p>6 Q. The num -- the names?</p> <p>7 A. The names.</p> <p>8 Q. And so describe for me some of the drugs</p> <p>9 in the drug control cage, what are their names?</p> <p>10 A. I can't remember them all, the names.</p> <p>11 Q. Oh, I wouldn't expect you to remember all</p> <p>12 of them.</p> <p>13 There -- how many roughly are there, about</p> <p>14 a hundred would you say?</p> <p>15 MR. HYNES: Objection. Timeframe.</p> <p>16 BY THE WITNESS:</p> <p>17 A. I don't remember. I don't -- I don't</p> <p>18 remember how many.</p> <p>19 BY MR. ELSNER:</p> <p>20 Q. How many are there today?</p> <p>21 A. I don't know.</p> <p>22 Q. Well, has it changed widely from when you</p> <p>23 started in 2001 to today?</p> <p>24 A. Yes.</p>   | <p style="text-align: right;">Page 20</p> <p>1 Q. 2001?</p> <p>2 A. Um-hum.</p> <p>3 Q. Maybe I -- maybe my question wasn't clear.</p> <p>4 My -- what I was asking is, is when you</p> <p>5 started to work in the control drug cage --</p> <p>6 A. Uh-huh.</p> <p>7 Q. -- in 2001 --</p> <p>8 A. Uh-huh.</p> <p>9 Q. -- what's your best estimate as to how</p> <p>10 long you worked there before the -- the cage changed</p> <p>11 size?</p> <p>12 MR. HYNES: Objection to form.</p> <p>13 BY MR. ELSNER:</p> <p>14 Q. Was it a couple of years or months?</p> <p>15 A. I don't remember. I don't remember.</p> <p>16 Q. Well, it wasn't days probably, right?</p> <p>17 A. No, it wasn't days.</p> <p>18 Q. Okay. Was it -- was it less or more than</p> <p>19 five years?</p> <p>20 A. Yes. Less than five years.</p> <p>21 Q. Less than five years, okay.</p> <p>22 So sometime between 2001 and 2006, okay.</p> <p>23 And when you -- when it moved downstairs,</p> <p>24 was the room bigger or smaller?</p> |
| <p style="text-align: right;">Page 19</p> <p>1 Q. Okay. What was the big change?</p> <p>2 A. The move. It's more space.</p> <p>3 Q. Let's talk about the control drug cage and</p> <p>4 the move.</p> <p>5 When you -- when you started working in</p> <p>6 the control drug cage in 2001 for CVS, what was the</p> <p>7 general size of the cage?</p> <p>8 MR. HYNES: Objection to form.</p> <p>9 BY THE WITNESS:</p> <p>10 A. I don't know.</p> <p>11 BY MR. ELSNER:</p> <p>12 Q. Is it bigger than this room?</p> <p>13 A. About the same size as this room.</p> <p>14 Q. Okay. And when did the -- when did the --</p> <p>15 when was there a change in the size of the room?</p> <p>16 A. When we moved from upstairs to downstairs.</p> <p>17 Q. Okay. And do you know when that was?</p> <p>18 A. No.</p> <p>19 Q. Roughly how long had you worked for CVS in</p> <p>20 the control drug cage before it changed?</p> <p>21 Was it a few years or a few months or...?</p> <p>22 A. The same time.</p> <p>23 Q. Sorry.</p> <p>24 A. It's about 2001.</p> | <p style="text-align: right;">Page 21</p> <p>1 A. Bigger.</p> <p>2 Q. Okay. How much bigger?</p> <p>3 A. I don't know.</p> <p>4 MR. HYNES: Objection to form.</p> <p>5 BY MR. ELSNER:</p> <p>6 Q. Was it about double the size?</p> <p>7 A. I don't know.</p> <p>8 Q. Okay. Do you know why there needed to be</p> <p>9 more space in the control drug room?</p> <p>10 A. No, I don't.</p> <p>11 Q. Let's go back to -- now, did it stay</p> <p>12 downstairs the whole time or did it move again?</p> <p>13 A. It's still down there.</p> <p>14 Q. It's still there, okay.</p> <p>15 I -- I think we heard some testimony</p> <p>16 yesterday that at one point in time PSE drugs were</p> <p>17 located in one cage and all of the other control drugs</p> <p>18 were located in another --</p> <p>19 A. Yes.</p> <p>20 Q. -- cage, is that true?</p> <p>21 A. Yes.</p> <p>22 Q. Is that still true today?</p> <p>23 A. No.</p> <p>24 Q. Okay. Was that true just when they were</p>                                |



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1 remodeling the cage or -- or at what point were they  
2 separated?  
3 MR. HYNES: Objection to form.  
4 BY THE WITNESS:  
5 A. I don't know.  
6 BY MR. ELSNER:  
7 Q. Okay. Were you responsible for both the  
8 controlled substances and the PSEs?  
9 A. Yes.  
10 Q. Okay. And so as part of your job in  
11 inventory control, you'd have this checklist?  
12 A. Yes.  
13 Q. And it would include all of the control  
14 drugs and the PSEs, is that right?  
15 A. Yes.  
16 Q. Okay. Was it -- how many pages was the  
17 list?  
18 A. Maybe two.  
19 Q. Two pages.  
20 And did it have preprinted information on  
21 the page or did you have to write everything in?  
22 A. It was already there.  
23 Q. It was already there.  
24 What -- what was already there?

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1 A. The name of the drugs and how many cases  
2 and pieces are supposed to be on the shelf.  
3 Q. Okay. So it had the drug name, and then I  
4 think you said how many cases?  
5 A. How many cases or pieces.  
6 Q. What do you mean by cases?  
7 A. When you -- when you -- the cases that we  
8 stock on the shelf.  
9 Q. Okay. So -- and then -- and then from  
10 there you pull out of each case a piece, is that  
11 right?  
12 A. Yes.  
13 Q. Okay. What did you count first, the  
14 pieces or the cases?  
15 A. I count cases first.  
16 Q. Okay.  
17 A. Before the pieces.  
18 Q. And now are the cases on -- where are the  
19 cases held?  
20 A. They are on a -- on a pick rack.  
21 Q. The cases are on a pick rack too, okay.  
22 A. Um-hum.  
23 Q. And then where are the pieces held?  
24 A. They are also on a pick rack.

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1 Q. Okay.  
2 Where -- where are they in relation to one  
3 another?  
4 A. The pieces are in front and the cases are  
5 at the back.  
6 Q. Okay. And does it kind of slide down like  
7 this?  
8 A. Yeah.  
9 Q. Okay. And so the cases that are unpacked,  
10 you start counting them, is that right?  
11 A. Yes.  
12 Q. Okay. And how does it work? Do you  
13 just -- can you just walk down an aisle and -- and  
14 count the cases, or do you have to walk behind the  
15 rack to count them?  
16 A. I count from the front.  
17 Q. Okay.  
18 A. The cases from the front.  
19 Q. And how high are they? Are they above  
20 your head or at eye level or beneath eye level?  
21 A. Eye -- a little above my head.  
22 Q. A little above your head, okay.  
23 So you go through and you -- and how do  
24 you know when you -- I'm sorry. Some of these cra --

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1 some of these questions seem so crazy, but if I had  
2 seen it, I would know how to ask a better question.  
3 But when you -- when you walk through and  
4 you're looking at the cases, how do you know that --  
5 that the case you are looking at is the drug you are  
6 trying to identify?  
7 Is it -- is it written on there or is  
8 there a number code or...?  
9 A. It's written and separated.  
10 Q. Separated?  
11 A. Yeah.  
12 Q. Okay.  
13 A. Each one is separated and has a name on  
14 the front of it.  
15 Q. Okay.  
16 A. So when the pickers come by, they just  
17 know where to pick from.  
18 Q. Okay. And what separates the --  
19 A. We have a divider.  
20 Q. A divider?  
21 A. A long divider.  
22 Q. And how wide is the bay or the section  
23 that would hold a particular control drug?  
24 A. It depends on the size of the box.



|  |  |
|--|--|
| <p style="text-align: right;">Page 26</p> <p>1 Q. Okay. Could it be the length of this<br/>2 table?</p> <p>3 A. The box -- well, I don't think the boxes<br/>4 are that big. Maybe the size of the laptops maybe.</p> <p>5 Q. Of the laptops, okay.</p> <p>6 And what's your best estimate as to the<br/>7 number of control drugs on a page? You said there is<br/>8 about two, two pages.</p> <p>9 Would it be about 50 a page?</p> <p>10 MR. HYNES: Objection to form.</p> <p>11 BY THE WITNESS:</p> <p>12 A. I don't know. I don't know how many is on<br/>13 a page.</p> <p>14 BY MR. ELSNER:</p> <p>15 Q. Okay. How long did it take you to do<br/>16 that?</p> <p>17 A. Maybe two-and-a-half hours.</p> <p>18 Q. Two-and-a-half hours?</p> <p>19 A. Um-hum.</p> <p>20 Q. Is that straight or with a break?</p> <p>21 A. I do it straight.</p> <p>22 Q. Get it over with, right?</p> <p>23 A. Yes.</p> <p>24 Q. What time do you start that during the</p> | <p style="text-align: right;">Page 28</p> <p>1 how late -- how many -- late -- how late I get<br/>2 started.</p> <p>3 Q. Right, okay.</p> <p>4 So -- so you come in at 6:00 and you start<br/>5 counting the -- the -- at the time that the pickers<br/>6 are done --</p> <p>7 A. Yes.</p> <p>8 Q. -- whether that's 1:30 or 1:00 or<br/>9 whatever?</p> <p>10 A. Yes.</p> <p>11 Q. Sometimes it might be 2:00 p.m. And then<br/>12 you'll -- and then you'll count until you finish?</p> <p>13 A. Yes.</p> <p>14 Q. And then you go home, is that right?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. How many -- how many people are<br/>17 working in the cage during the day?</p> <p>18 MR. HYNES: Objection to form.</p> <p>19 BY THE WITNESS:</p> <p>20 A. Six.</p> <p>21 BY MR. ELSNER:</p> <p>22 Q. Is that six people today?</p> <p>23 A. It is six pickers, two stockers.</p> <p>24 Q. Six pickers, two stockers.</p>                      |
| <p style="text-align: right;">Page 27</p> <p>1 day?</p> <p>2 A. It is at the end of the day. I do my -- I<br/>3 do it at the end of the day.</p> <p>4 Q. And what time is that?</p> <p>5 A. After 2:00.</p> <p>6 Q. A 2:00 p.m.</p> <p>7 So, are there multiple shifts of pickers?</p> <p>8 A. Just one shift.</p> <p>9 Q. One shift.</p> <p>10 And is it during the day?</p> <p>11 A. Yes.</p> <p>12 Q. What time does that shift start?</p> <p>13 A. 5:30.</p> <p>14 Q. 5:30 a.m.</p> <p>15 And that runs until what time?</p> <p>16 A. 1:30.</p> <p>17 Q. 1:30.</p> <p>18 And what time do you come in?</p> <p>19 A. 6:00.</p> <p>20 Q. 6:00 a.m.</p> <p>21 And how late do you work?</p> <p>22 A. Two o'clock.</p> <p>23 Q. 2:00 p.m.</p> <p>24 A. Two o'clock or sometimes 3:00. It depends</p>   | <p style="text-align: right;">Page 29</p> <p>1 Is there a checker?</p> <p>2 A. The pick -- the pickers separate. There<br/>3 is, what, two people check, you got twone -- one<br/>4 person picks, two people checks, and they rotate.</p> <p>5 Q. They rotate.</p> <p>6 So it -- a picker could be -- also be a<br/>7 checker?</p> <p>8 A. Yes.</p> <p>9 Q. Okay.</p> <p>10 Now, that -- you said that's what --<br/>11 that -- is there anyone else working in the cage?</p> <p>12 A. No.</p> <p>13 Q. Okay. Is your office in the cage or<br/>14 outside the cage?</p> <p>15 A. Outside the cage.</p> <p>16 Q. Okay. Where in your building is your<br/>17 office?</p> <p>18 A. Like 30, 40 feet from the cage.</p> <p>19 Q. Do you -- do you have a computer and<br/>20 access to the internet?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. Have you always had that?</p> <p>23 A. Yes.</p> <p>24 Q. In -- in control invent -- as inventory</p> |

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|--|---|
| <p style="text-align: right;">Page 30</p> <p>1 control in the control room --</p> <p>2 A. Yes.</p> <p>3 Q. -- or control cage?</p> <p>4 Okay. Do you have any responsibilities</p> <p>5 other than counting and verifying the number of drugs</p> <p>6 in the cage?</p> <p>7 A. I also get outs for the pickers outside of</p> <p>8 the floor module for the regular Rx department. If</p> <p>9 the picker gets to a location and nothing is there, I</p> <p>10 would go get it for them and stock it for them.</p> <p>11 Q. Okay.</p> <p>12 A. If --</p> <p>13 Q. Let -- let me stop that -- I just want to</p> <p>14 make sure I understand.</p> <p>15 So, you do some work for -- for pickers</p> <p>16 outside of the control cage?</p> <p>17 A. Yes.</p> <p>18 Q. And if they can't locate whatever item it</p> <p>19 is they want to pick, they'll call you?</p> <p>20 A. Yes.</p> <p>21 Q. Do they call you or e-mail you or how do</p> <p>22 you get the information?</p> <p>23 A. They just call me.</p> <p>24 Q. They call you.</p>                  | <p style="text-align: right;">Page 32</p> <p>1 A. Yes.</p> <p>2 Q. Okay. How long does it take you to get</p> <p>3 from your office, sometimes, to the product that you</p> <p>4 are trying to locate?</p> <p>5 A. Maybe five -- maybe five minutes depending</p> <p>6 where it is.</p> <p>7 Q. Okay. What I'm trying to get in terms of</p> <p>8 just a general sense, it's a pretty large building,</p> <p>9 correct?</p> <p>10 A. Correct.</p> <p>11 Q. It is not a tiny place?</p> <p>12 A. No.</p> <p>13 Q. And because in that building you -- CVS</p> <p>14 stocks all of the products that they sell, is that</p> <p>15 right?</p> <p>16 A. Yes.</p> <p>17 MR. HYNES: Objection to form.</p> <p>18 BY MR. ELSNER:</p> <p>19 Q. Everything from toilet paper to</p> <p>20 toothpaste, is that right?</p> <p>21 A. Yes.</p> <p>22 Q. To hair products and shaving products?</p> <p>23 A. Yes.</p> <p>24 Q. Okay. Food, is food stocked --</p>   |
| <p style="text-align: right;">Page 31</p> <p>1 A. Uh-huh.</p> <p>2 Q. And then they say, I can't -- they say</p> <p>3 what? I don't -- I don't -- I can't find this product</p> <p>4 or there is --</p> <p>5 A. I'm out -- I'm out of this product.</p> <p>6 Q. And then you'll go?</p> <p>7 A. I would go look for it.</p> <p>8 Q. Okay. Now, do you physically go look for</p> <p>9 it or do you call?</p> <p>10 A. No, I go physically look for it.</p> <p>11 Q. Okay. How big is the plant, I mean, or</p> <p>12 the facility?</p> <p>13 A. I -- I don't know how big it is.</p> <p>14 Q. Is it -- is it bigger than your house?</p> <p>15 A. Yes.</p> <p>16 Q. Okay. How many -- how -- how much bigger</p> <p>17 than your house?</p> <p>18 A. I don't know. I can't describe it.</p> <p>19 Q. Is it bigger than a football field?</p> <p>20 A. I'm on the other side of the building, so</p> <p>21 I'm not sure the full length of it. I --</p> <p>22 Q. Okay.</p> <p>23 A. -- I don't know.</p> <p>24 Q. Do you do a lot of walking with your job?</p> | <p style="text-align: right;">Page 33</p> <p>1 distributed from there as well?</p> <p>2 A. Certain -- some foods.</p> <p>3 Q. Some foods. Snacks like pretzels and --</p> <p>4 A. Yes.</p> <p>5 Q. -- chips and those kinds of things?</p> <p>6 A. Yes. I don't think chips, but candy.</p> <p>7 Q. Candy, okay.</p> <p>8 And -- and CVS sells all sorts of other</p> <p>9 products, like toys and games. Is that also stocked</p> <p>10 there?</p> <p>11 A. Not -- no, not in our building.</p> <p>12 Q. Okay. You described for me that there</p> <p>13 were six pack -- pickers and two stockers.</p> <p>14 A. Um-hum.</p> <p>15 Q. And I want to make sure I understand what</p> <p>16 the pickers do.</p> <p>17 Walk through for me what the picker does</p> <p>18 when they go into the control drug cage?</p> <p>19 A. I'm not there when they first start. They</p> <p>20 have a headset.</p> <p>21 Q. Well, let me -- let me just stop one</p> <p>22 second.</p> <p>23 Your office is outside the cage?</p> <p>24 A. Um-hum.</p> |

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1 Q. So, are you in the cage with them during  
2 the day when they are doing the picking?  
3 A. If I have to, if they need me for  
4 something, yeah, I go in there.  
5 Q. Okay. But if they don't call you in and  
6 need you for something, then --  
7 A. I don't go in there.  
8 Q. -- then you are basically in your office,  
9 correct?  
10 A. Yes, on the floor.  
11 Q. And on the floor, okay.  
12 And so when you go into the control drug  
13 cage, that's really at the end of the day. Unless  
14 there is some need for you to go in during the day --  
15 A. Yes.  
16 Q. -- the general pattern is you go in at the  
17 end of the day to do your counting, is that right?  
18 A. Yes.  
19 Q. Okay. Now, but you worked as a picker, so  
20 you have an understanding --  
21 A. Yes.  
22 Q. -- of what they do?  
23 MR. HYNES: Objection.  
24 BY MR. ELSNER:

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1 Q. So, just describe for me generally what a  
2 picker is going to do when they start their shift in  
3 the morning?  
4 MR. HYNES: Objection to form.  
5 BY THE WITNESS:  
6 A. We have a headset -- we do -- we -- we are  
7 on voice pick, so we put our headsets on and we  
8 scan -- we put our names and stuff into our little  
9 headset, scan our order. Once we scan our order, our  
10 voice pick will tell us what -- what we need -- where  
11 we need to go to pick at.  
12 BY MR. ELSNER:  
13 Q. And what does it say to you where you need  
14 to go?  
15 A. It would tell us Bay 101, 2B1.  
16 Q. Okay.  
17 A. And we will pick one piece and we'll tell  
18 the -- you'll tell the voice, One pick, and go on to  
19 the next one.  
20 Q. Okay. And then so the information that  
21 you are getting in the headset is a bay number and --  
22 A. Location.  
23 Q. -- and -- and the location?  
24 A. (Nodding head.)

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1 Q. Okay. It's not telling you what the --  
2 what the -- what the controlled substance is, it's  
3 not --  
4 A. (Shaking head.)  
5 Q. Okay.  
6 So, when a picker is going through that  
7 process, are they picking all of the drugs for an  
8 order for one pharmacy?  
9 A. Yes, one -- one order for that one drug --  
10 for that -- that one store.  
11 Q. For that one store?  
12 A. Um-hum.  
13 Q. And -- and so they'll start with the first  
14 one and they'll -- they'll pick every item -- they'll  
15 pick every controlled substance that that  
16 pharmacist -- what that CVS Pharmacy has ordered.  
17 A. Um-hum.  
18 Q. And what do they put the -- the pieces in?  
19 A. A green -- a green tote.  
20 Q. A green tote.  
21 Okay. How big is this tote?  
22 A. Maybe about this big.  
23 Q. Okay.  
24 A. And this wide.

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1 Q. Okay.  
2 Is it on -- is it on a cart? Do they push  
3 it or do they hold it in their hand?  
4 A. They have a cart.  
5 Q. They have a cart, okay.  
6 All right. And so on average, I know it  
7 varies depending on the pharmacy, how long does it  
8 take for a picker to pick one pharmacy's order?  
9 MR. HYNES: Objection to form.  
10 BY THE WITNESS:  
11 A. I don't know.  
12 BY MR. ELSNER:  
13 Q. Is it -- is it less than 15 minutes or  
14 more than 15 minutes?  
15 A. It depends on the size of the order. So  
16 it could be less, maybe five minutes.  
17 Q. It -- sometimes it could be less than five  
18 minutes?  
19 A. It could be less than five minutes  
20 depending on the size of the order.  
21 Q. Sure.  
22 Could it be a half hour?  
23 A. No.  
24 Q. No.

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| <p style="text-align: right;">Page 38</p> <p>1 A. No.</p> <p>2 Q. What do you think is the maximum amount,</p> <p>3 like the largest pick?</p> <p>4 MR. HYNES: Objection to form.</p> <p>5 BY THE WITNESS:</p> <p>6 A. I don't know.</p> <p>7 BY MR. ELSNER:</p> <p>8 Q. Okay. What's the average amount of</p> <p>9 controlled substances that a picker would pick and put</p> <p>10 in the tote for an order?</p> <p>11 MR. HYNES: Objection to form.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I don't know.</p> <p>14 BY MR. ELSNER:</p> <p>15 Q. Okay.</p> <p>16 But once the picker goes through the whole</p> <p>17 system and picks each of the -- the drugs that they</p> <p>18 are told to pick, what do they do then with the tote?</p> <p>19 A. They set it to the side and a person --</p> <p>20 they don't have -- the picker -- the next picker will</p> <p>21 scan that order to verify everything in that tote is</p> <p>22 correct --</p> <p>23 Q. Okay. And they --</p> <p>24 A. -- and right.</p>                     | <p style="text-align: right;">Page 40</p> <p>1 practice?</p> <p>2 A. I don't remember.</p> <p>3 Q. Has it been in the last five years?</p> <p>4 A. Yes.</p> <p>5 Q. Okay. So prior to -- has it been in the</p> <p>6 last two years or three years?</p> <p>7 A. Five.</p> <p>8 Q. Five, okay.</p> <p>9 So prior to using that process, describe</p> <p>10 for me how a picker would go about picking the drugs</p> <p>11 for each order?</p> <p>12 MR. HYNES: Objection to form.</p> <p>13 BY THE WITNESS:</p> <p>14 A. Then it was like a light, it was a light</p> <p>15 system then.</p> <p>16 BY MR. ELSNER:</p> <p>17 Q. A light system, okay.</p> <p>18 A. Yeah, a light would pull -- a green light</p> <p>19 would show up, tell you to the location and how many</p> <p>20 pieces. Once you picked the right amount, a red --</p> <p>21 you hit the red button, it would take you to the next</p> <p>22 location.</p> <p>23 Q. Okay. So was that in place when you</p> <p>24 started in 2001?</p> |
| <p style="text-align: right;">Page 39</p> <p>1 Q. -- and they do it with a -- with what?</p> <p>2 A. With a scan gun, just like --</p> <p>3 Q. Scan gun.</p> <p>4 A. -- at the store, they scan the products.</p> <p>5 Q. Okay. And verify that it matches the</p> <p>6 list, is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Then what's done with that?</p> <p>9 A. If -- if everything is correct, they scan</p> <p>10 it, the report -- our report will be printed and</p> <p>11 they'll tie their totes up.</p> <p>12 Q. Okay. What do you do with the printed</p> <p>13 report?</p> <p>14 A. They save them and put them in a file.</p> <p>15 Q. Where is that file kept?</p> <p>16 A. I don't know.</p> <p>17 Q. Who is responsible for that file?</p> <p>18 A. I don't know.</p> <p>19 Q. Okay.</p> <p>20 Now, this electronic system, scanning</p> <p>21 system, that hasn't been in place since you started in</p> <p>22 2001, is that right?</p> <p>23 A. It wasn't there.</p> <p>24 Q. Okay. About when did that come into</p> | <p style="text-align: right;">Page 41</p> <p>1 A. It was there in place when I started in</p> <p>2 the Rx department.</p> <p>3 Q. In the Rx department. And remind me of</p> <p>4 that year?</p> <p>5 A. The pharmacy department.</p> <p>6 Q. In the pharmacy department. So back in</p> <p>7 '98?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. And I'm sorry again. I -- I know</p> <p>10 it is very clear to you and tedious, but I'm just</p> <p>11 trying to make sure I understand because I have never</p> <p>12 seen it.</p> <p>13 Who programs in what the order is going to</p> <p>14 be?</p> <p>15 A. I don't know.</p> <p>16 Q. I'm sorry. You said?</p> <p>17 A. I don't know.</p> <p>18 Q. You don't know.</p> <p>19 That's not part of your job?</p> <p>20 A. (Shaking head.)</p> <p>21 Q. Does a picker program it in?</p> <p>22 MR. HYNES: Objection to form.</p> <p>23 BY THE WITNESS:</p> <p>24 A. No.</p>   |

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1 BY MR. ELSNER:  
 2 Q. No. Okay.  
 3 All right. So the picker starts and --  
 4 and -- I'm sorry to ask you to describe it for me  
 5 again, but I just don't quite fully understand it.  
 6 A green light would show up in one of the  
 7 bays, is that right?  
 8 A. Um-hum.  
 9 Q. And --  
 10 A. They would -- they would key in the  
 11 order --  
 12 Q. Now were they -- say -- stop there.  
 13 They would key it in into what?  
 14 A. A computer.  
 15 Q. Okay.  
 16 A. They would key the order into the  
 17 computer.  
 18 Q. And the order is a number?  
 19 A. It's a store number.  
 20 Q. A store number, okay.  
 21 So they key in a store number. Okay?  
 22 A. And once they key in the store number, the  
 23 system start lighting up each location.  
 24 Q. Okay.

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1 A. A green light will show up, once you hit  
 2 the number of pieces --  
 3 Q. So --  
 4 A. -- you hit that --  
 5 Q. Sorry, just one second.  
 6 So they would -- they would -- they would  
 7 see all of these lights come on?  
 8 A. One light -- one light at a time.  
 9 Q. Oh, one light at a time.  
 10 A. One light at a time.  
 11 Q. So they would go to the first bay that  
 12 lights up green?  
 13 A. Um-hum.  
 14 Q. And when they arrive, is there a number  
 15 there?  
 16 A. That's the number of -- the number of  
 17 pieces you need to pick.  
 18 Q. The number of pieces you need to pick.  
 19 And how do they see that?  
 20 A. It is right there in front of you. It's a  
 21 little screen --  
 22 Q. That --  
 23 A. -- about this big in front of you.  
 24 Q. On the bay?

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1 A. Um-hum.  
 2 Q. Okay. And so it lights up green and it  
 3 says four pieces?  
 4 A. Yes.  
 5 Q. And so they pick four pieces and put it  
 6 in?  
 7 A. Hit a red button.  
 8 Q. Okay. Is there any scan of that or no,  
 9 they just --  
 10 A. No.  
 11 Q. -- they put it in. All right.  
 12 They put it in, hit the red button, and  
 13 then the next one lights up, is that right?  
 14 A. Um-hum.  
 15 Q. So the next bay lights up green --  
 16 A. Yes.  
 17 Q. -- they go to that bay, and it says a  
 18 number --  
 19 A. Yes.  
 20 Q. -- 3, 2, 11 --  
 21 A. Yes.  
 22 Q. -- whatever it is.  
 23 Then they pick those, hit the button, and  
 24 then go through the whole process?

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1 A. Yes.  
 2 Q. Is that right? Okay.  
 3 Now, when that system was in place, when  
 4 they finished all of the picks for a particular  
 5 pharmacy, was then that -- was -- were those picks  
 6 double checked?  
 7 MR. HYNES: Objection to form.  
 8 BY THE WITNESS:  
 9 A. I wasn't back there in the cage at that  
 10 time, so I don't know.  
 11 BY MR. ELSNER:  
 12 Q. Okay. Well, what about five, six years  
 13 ago?  
 14 MR. HYNES: Objection to form.  
 15 BY MR. ELSNER:  
 16 Q. When you were in -- where you were in  
 17 inven control -- inventory control for controlled  
 18 substances?  
 19 A. Yes, then --  
 20 MR. HYNES: Objection to form.  
 21 BY THE WITNESS:  
 22 A. Yes, then they did check it.  
 23 BY MR. ELSNER:  
 24 Q. They did check it.

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| <p style="text-align: right;">Page 46</p> <p>1 And was it -- was it again one of the<br/>                 2 pickers who was working as a checker, too?<br/>                 3 A. Yes.<br/>                 4 Q. Okay. And how would they check it?<br/>                 5 A. I don't understand the question.<br/>                 6 Q. So when the picker brings the -- brings<br/>                 7 the tote with all of the items that they've picked for<br/>                 8 that particular pharmacy's order, when they bring that<br/>                 9 to the checker, how did the checker check it?<br/>                 10 Did they pull out each one and -- and --<br/>                 11 and -- and check it against what?<br/>                 12 A. The order.<br/>                 13 Do you mean when they on -- on the light<br/>                 14 system or the voice system?<br/>                 15 Q. The light system. I'm sorry.<br/>                 16 A. I wasn't back there when they did the<br/>                 17 voice system, so I'm not for sure how they checked it<br/>                 18 then.<br/>                 19 Q. Did you mean you weren't back there when<br/>                 20 they did the light system?<br/>                 21 A. Not in -- not in the control.<br/>                 22 Q. Okay. You just said "voice system," so I<br/>                 23 just -- I wanted to make sure that I -- that the<br/>                 24 record is clear.</p> | <p style="text-align: right;">Page 48</p> <p>1 over to the voice.<br/>                 2 Q. I thought you told me, and maybe I<br/>                 3 misheard you, that the light system came into effect<br/>                 4 within the last five years?<br/>                 5 A. When I was -- when I moved up there, it<br/>                 6 was already in place, when I moved up -- when I went<br/>                 7 to the Rx department, the light system was already in<br/>                 8 place.<br/>                 9 Q. Okay. Right, the light system was already<br/>                 10 in place.<br/>                 11 And then it changed to the voice system<br/>                 12 about five years ago?<br/>                 13 A. Yes, when they moved downstairs.<br/>                 14 Q. Okay. Okay.<br/>                 15 How many -- how many CVS pharmacies does<br/>                 16 the Indianapolis distribution center distribute<br/>                 17 control drugs to?<br/>                 18 A. I don't know.<br/>                 19 MR. HYNES: Objection to form.<br/>                 20 BY MR. ELSNER:<br/>                 21 Q. Do you -- there has been some testimony in<br/>                 22 this case that that number is about 1500 pharmacies.<br/>                 23 Does that sound about right?<br/>                 24 MR. HYNES: Objection to form.</p> |
| <p style="text-align: right;">Page 47</p> <p>1 A. Yes, it's the system.<br/>                 2 Q. Right.<br/>                 3 A. When we started off with -- when I started<br/>                 4 it had a light system and then it switched to the<br/>                 5 voice system when they moved downstairs.<br/>                 6 Q. Okay.<br/>                 7 So, under the light system, you are not<br/>                 8 familiar with how the order was checked, is that<br/>                 9 right?<br/>                 10 A. No.<br/>                 11 Q. Because you weren't in the control room?<br/>                 12 A. No.<br/>                 13 Q. So, did you enter the control room only<br/>                 14 when the control moved -- room moved downstairs?<br/>                 15 A. Yes.<br/>                 16 Q. Okay. And you -- so you estimated that<br/>                 17 was about between 2001 and 2006, somewhere in that<br/>                 18 timeframe?<br/>                 19 A. Yes.<br/>                 20 Q. Is that right? Okay.<br/>                 21 Okay. And so from 2006 -- well, I think<br/>                 22 you said they used the light system until --<br/>                 23 A. We moved downstairs, and I'm not sure what<br/>                 24 year that was when they moved downstairs and switched</p>  | <p style="text-align: right;">Page 49</p> <p>1 BY THE WITNESS:<br/>                 2 A. I don't know.<br/>                 3 BY MR. ELSNER:<br/>                 4 Q. You have no idea.<br/>                 5 And when you say you don't know, does that<br/>                 6 mean you have no idea the entire time that you've<br/>                 7 worked in the control, inventory control for the<br/>                 8 control drug cage?<br/>                 9 A. I just -- I -- I was not -- I don't know<br/>                 10 where that comes from.<br/>                 11 Q. You don't know?<br/>                 12 A. No.<br/>                 13 Q. Okay. The -- the orders just populate, I<br/>                 14 mean, the orders just appear and -- and you run<br/>                 15 through them, but you don't -- you've never looked at<br/>                 16 it globally to see how many pharmacies were --<br/>                 17 A. Right.<br/>                 18 Q. -- distributing --<br/>                 19 A. Right.<br/>                 20 Q. -- controlled substances to?<br/>                 21 MR. HYNES: Objection to the form.<br/>                 22 BY MR. ELSNER:<br/>                 23 Q. Is that right?<br/>                 24 A. Right.</p>  |



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| <p style="text-align: right;">Page 50</p> <p>1 Q. So, let me go back to the -- to the<br/> 2 picking system.<br/> 3 When the -- when the picker finishes<br/> 4 picking all of the drugs for a particular pharmacy and<br/> 5 then those drugs are checked, and the -- and the<br/> 6 report is given and the tote is sealed, does the<br/> 7 picker go back and start again?<br/> 8 A. Start again on a new order.<br/> 9 Q. Starts again with a new order, okay.<br/> 10 Now, the -- I think you said they -- they<br/> 11 start about 5:30 in the morning?<br/> 12 A. Um-hum.<br/> 13 Q. And it can take anywhere from -- how<br/> 14 many -- how many picks do they do roughly in an hour?<br/> 15 MR. HYNES: Objection to form.<br/> 16 BY THE WITNESS:<br/> 17 A. I don't know.<br/> 18 BY MR. ELSNER:<br/> 19 Q. How many do they do in a day?<br/> 20 MR. HYNES: Objection to form.<br/> 21 BY THE WITNESS:<br/> 22 A. I don't know.<br/> 23 BY MR. ELSNER:<br/> 24 Q. You said it doesn't take longer than a</p> | <p style="text-align: right;">Page 52</p> <p>1 Do you know whether they're -- whether<br/> 2 they are -- they are rated or evaluated as to<br/> 3 accuracy?<br/> 4 MR. HYNES: Objection form.<br/> 5 BY THE WITNESS:<br/> 6 A. I don't know.<br/> 7 BY MR. ELSNER:<br/> 8 Q. Okay. Who -- who does the picker report<br/> 9 to?<br/> 10 MR. HYNES: Objection to form.<br/> 11 BY THE WITNESS:<br/> 12 A. Their supervisor.<br/> 13 BY MR. ELSNER:<br/> 14 Q. Yes. And who is that?<br/> 15 A. Right now it is Dennis Wat -- White --<br/> 16 Weaver.<br/> 17 Q. Weaver.<br/> 18 And what's Mr. Weaver's title?<br/> 19 A. Supervisor, Rx supervisor.<br/> 20 Q. Rx supervisor, is that what you said?<br/> 21 A. Um-hum.<br/> 22 Q. Okay.<br/> 23 A. Pharmacy supervisor.<br/> 24 Q. Pharmacy supervisor.</p>   |
| <p style="text-align: right;">Page 51</p> <p>1 half hour to do a pick, right?<br/> 2 A. Yes.<br/> 3 Q. And is that all the pickers do is pick,<br/> 4 except sometimes they also check, but other than that,<br/> 5 is that what -- what those people do?<br/> 6 A. Yes.<br/> 7 Q. They don't have other responsibilities?<br/> 8 A. No.<br/> 9 MR. HYNES: Objection to form.<br/> 10 BY MR. ELSNER:<br/> 11 Q. So the whole day they are spending there<br/> 12 from 5:30 in the -- the morning until about 1:30 in<br/> 13 the afternoon, I assume they get an hour lunch, is<br/> 14 that right?<br/> 15 A. Yes.<br/> 16 Q. But the rest of the time they are either<br/> 17 picking or checking.<br/> 18 Now, is there any kind of a evaluation of<br/> 19 how a picker does their job?<br/> 20 MR. HYNES: Objection to the form.<br/> 21 BY THE WITNESS:<br/> 22 A. I don't know.<br/> 23 BY MR. ELSNER:<br/> 24 Q. You don't know.</p>  | <p style="text-align: right;">Page 53</p> <p>1 Who was it before Mr. Weaver?<br/> 2 A. Allen Hanson.<br/> 3 Q. How do you spell Henson, H-e --<br/> 4 A. Hanson. Hanson, H-a-n-s-o-n, I believe.<br/> 5 Q. Okay. And he also was a pharmacy<br/> 6 supervisor?<br/> 7 A. Yes.<br/> 8 Q. Okay. And before Mr. Hanson?<br/> 9 A. Dan Deaton.<br/> 10 Q. Okay. Also the pharmacy supervisor?<br/> 11 A. Yes.<br/> 12 Q. And before Mr. Deaton?<br/> 13 A. Robert Richardson.<br/> 14 Q. All right. Also the pharmacy supervisor?<br/> 15 A. Yes.<br/> 16 Q. And before Mr. Richardson?<br/> 17 A. That I don't know.<br/> 18 Q. Do you remember a -- a Gary Lamberth?<br/> 19 A. Yes.<br/> 20 Q. Was he a pharmacy supervisor?<br/> 21 A. Pharmacy manager.<br/> 22 Q. Pharmacy manager.<br/> 23 So he didn't directly manage -- he was not<br/> 24 a -- a pharmacy supervisor that would have managed the</p> |



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| <p style="text-align: right;">Page 54</p> <p>1 pickers, correct?</p> <p>2 A. Not at the -- not at the time I was up</p> <p>3 there.</p> <p>4 Q. Okay. Not at...</p> <p>5 Now, do you remember any of the other</p> <p>6 pharmacy supervisors that managed the pickers?</p> <p>7 A. That's all I remember.</p> <p>8 MR. ELSNER: Can we go off the record real</p> <p>9 quick?</p> <p>10 MR. HYNES: Yeah. Take a quick break?</p> <p>11 MR. ELSNER: Sure.</p> <p>12 THE VIDEOGRAPHER: We are off the record at</p> <p>13 9:30 a.m.</p> <p>14 (WHEREUPON, a recess was had</p> <p>15 from 9:30 to 9:38 a.m.)</p> <p>16 THE VIDEOGRAPHER: We are back on the record at</p> <p>17 9:38 a.m.</p> <p>18 BY MR. ELSNER:</p> <p>19 Q. Ms. Hinkle, before we broke you were</p> <p>20 giving me a list of the various people who supervised</p> <p>21 the pickers in the -- in the drug control room at CVS.</p> <p>22 That was not part of your responsibility,</p> <p>23 is that right?</p> <p>24 A. Yes.</p>  | <p style="text-align: right;">Page 56</p> <p>1 office is in the upper part of the building.</p> <p>2 Q. Okay. Is he all -- so he is not in the Rx</p> <p>3 department?</p> <p>4 A. No.</p> <p>5 Q. Okay. Do you have any -- anyone who</p> <p>6 reports to you directly?</p> <p>7 A. No.</p> <p>8 Q. Can you name for me some of the pickers</p> <p>9 who worked in the control room between 2006 and 2014?</p> <p>10 Do you remember any of their names?</p> <p>11 A. Deb Foster.</p> <p>12 Q. Okay. Now, Deb Foster, is she still</p> <p>13 working at CVS or no?</p> <p>14 A. She retired.</p> <p>15 Q. She retired.</p> <p>16 When did she retire?</p> <p>17 A. Last December.</p> <p>18 Q. Okay. Anyone else?</p> <p>19 A. Ellen Wilson.</p> <p>20 Q. Okay. Did you say Ellen?</p> <p>21 A. Ellen Wilson.</p> <p>22 Q. Ellen Wilson, okay.</p> <p>23 Is she still working at CVS?</p> <p>24 A. Yes.</p> |
| <p style="text-align: right;">Page 55</p> <p>1 Q. Yes, it was not part of your --</p> <p>2 A. It was not part of my responsibility.</p> <p>3 Q. Okay. And who supervised the stockers in</p> <p>4 the control room?</p> <p>5 A. The same supervisor.</p> <p>6 Q. The same supervisor.</p> <p>7 So you were not responsible for</p> <p>8 supervising them either, correct?</p> <p>9 A. Uhn-uhn.</p> <p>10 Q. Okay. Who is your supervisor?</p> <p>11 A. Jimmy Sutton.</p> <p>12 Q. And what -- do you know what Jimmy</p> <p>13 Sutton's title is?</p> <p>14 A. Inventory control supervisor.</p> <p>15 Q. Okay. Now, is he responsible for all</p> <p>16 inventory control at the Indianapolis distribution</p> <p>17 center?</p> <p>18 A. Yes.</p> <p>19 Q. So that includes everything from toilet</p> <p>20 paper to control drugs?</p> <p>21 A. I don't know.</p> <p>22 Q. Okay. What department do you and</p> <p>23 Mr. Sutton work in?</p> <p>24 A. I work in the Rx department. His -- his</p> | <p style="text-align: right;">Page 57</p> <p>1 Q. In the same job?</p> <p>2 A. A different job.</p> <p>3 Q. A different job.</p> <p>4 What does she do now?</p> <p>5 A. She is IC clerk now, inventory control</p> <p>6 clerk now.</p> <p>7 Q. Inventory control clerk, okay.</p> <p>8 All right. Anyone else?</p> <p>9 A. Lori Huddleston.</p> <p>10 Q. Is she still working at CVS?</p> <p>11 A. Yes.</p> <p>12 Q. What position is she in now?</p> <p>13 A. She works in the control cage.</p> <p>14 Q. The control cage.</p> <p>15 Also as a picker?</p> <p>16 A. Picker, yes.</p> <p>17 Q. Okay. Anyone else?</p> <p>18 A. In 2006. That's all I can remember from</p> <p>19 2006.</p> <p>20 Q. Now, I said 2006 through 2014, about four</p> <p>21 years ago.</p> <p>22 A. The people -- there are some new ones that</p> <p>23 just got hired.</p> <p>24 Q. Recently?</p>                             |

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| <p style="text-align: right;">Page 58</p> <p>1 A. Yes.</p> <p>2 Q. Okay. I'm not as interested in them.</p> <p>3 When you say got -- "recent," do you mean</p> <p>4 in the last year or two?</p> <p>5 A. Like six months.</p> <p>6 Q. Six months.</p> <p>7 Is there a lot of turnover in the control</p> <p>8 cage?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. I don't know. I don't know. A lot of</p> <p>12 people retires. A lot of people are retiring.</p> <p>13 BY MR. ELSNER:</p> <p>14 Q. A lot of people retire?</p> <p>15 A. Um-hum.</p> <p>16 Q. I guess what I'm trying to get at is,</p> <p>17 is -- is it fair to say that of the pickers in the</p> <p>18 control room, that they need to be -- we need to find</p> <p>19 a new picker, you know, once a year or once every six</p> <p>20 months or once every five years?</p> <p>21 MR. HYNES: Objection to form.</p> <p>22 BY THE WITNESS:</p> <p>23 A. I don't know. I really don't.</p> <p>24 BY MR. ELSNER:</p> | <p style="text-align: right;">Page 60</p> <p>1 you go in to count them, are there some -- are there</p> <p>2 some drugs in small bottles and some in big bottles</p> <p>3 and some in very big bottles?</p> <p>4 MR. HYNES: Objection to form.</p> <p>5 BY THE WITNESS:</p> <p>6 A. I don't understand what you are asking me.</p> <p>7 On the totes or on the rack?</p> <p>8 BY MR. ELSNER:</p> <p>9 Q. On the rack.</p> <p>10 A. Oh, different sizes.</p> <p>11 Q. Different sizes, okay.</p> <p>12 And are you familiar with the -- with the</p> <p>13 controlled substance hydrocodone?</p> <p>14 A. Yes.</p> <p>15 Q. Okay. What are the sizes of the</p> <p>16 hydrocodone containers?</p> <p>17 A. I don't remember.</p> <p>18 Q. Okay. How many different hydrocodone</p> <p>19 combination products are contained in the control drug</p> <p>20 cage?</p> <p>21 MR. HYNES: Objection to form.</p> <p>22 BY THE WITNESS:</p> <p>23 A. I don't know.</p> <p>24 BY MR. ELSNER:</p>  |
| <p style="text-align: right;">Page 59</p> <p>1 Q. Do you know how long Deb Foster worked in</p> <p>2 the control room?</p> <p>3 A. She -- she worked about 20 years,</p> <p>4 25 years.</p> <p>5 Q. 20, 25 years, okay.</p> <p>6 What about Ellen Wilson?</p> <p>7 A. She was there about 25 years. She just</p> <p>8 switched jobs.</p> <p>9 Q. And Lori Huddleston?</p> <p>10 A. She is still there.</p> <p>11 Q. She is still there.</p> <p>12 What -- do you know how long ago she</p> <p>13 started?</p> <p>14 A. No.</p> <p>15 Q. Okay.</p> <p>16 I want to -- I want to go back to the --</p> <p>17 the tubs and the drugs in the -- in the control cage.</p> <p>18 And the -- each of the drugs are in a</p> <p>19 different size, is that right?</p> <p>20 MR. HYNES: Objection to form.</p> <p>21 BY THE WITNESS:</p> <p>22 A. I don't know.</p> <p>23 BY MR. ELSNER:</p> <p>24 Q. Well, when you go -- when you were -- when</p>  | <p style="text-align: right;">Page 61</p> <p>1 Q. There was some testimony yesterday that --</p> <p>2 from one of the pickers, Ms. Wilson.</p> <p>3 Do you know her?</p> <p>4 A. Um-hum.</p> <p>5 Q. Okay. And she worked in the control drug</p> <p>6 cage for a pretty long time, is that right?</p> <p>7 A. Yes.</p> <p>8 Q. Okay.</p> <p>9 And -- and she -- and she testified that</p> <p>10 as a general rule, when it came to hydrocodone, if she</p> <p>11 was pulling the small bottles, she would not pull more</p> <p>12 than 12 of those.</p> <p>13 Have you ever heard of that general rule?</p> <p>14 MR. HYNES: Objection to form.</p> <p>15 BY THE WITNESS:</p> <p>16 A. No.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. Okay. And do you have any sense of how</p> <p>19 many pills were in the small bottles of hydrocodone?</p> <p>20 A. I don't know.</p> <p>21 Q. Okay. Do you know the dose of any of the</p> <p>22 hydro combination products?</p> <p>23 MR. HYNES: Objection to form.</p> <p>24 BY THE WITNESS:</p> |

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1 A. I don't know.  
2 BY MR. ELSNER:  
3 Q. And she said that there were multiple  
4 small bottles for different hydro combination  
5 products.  
6 Is that true?  
7 MR. HYNES: Objection to form.  
8 BY THE WITNESS:  
9 A. I don't know.  
10 BY MR. ELSNER:  
11 Q. When you're counting, are you -- are you  
12 looking at a -- at a number or are you looking at a  
13 bay and a number when you are doing your counts or are  
14 you looking at the drug name?  
15 What do you use to verify?  
16 A. Oh, the drug name.  
17 Q. The drug name.  
18 A. Um-hum.  
19 Q. So, when you were counting when CVS was  
20 distributing hydrocodone combination products, you  
21 weren't looking at what bay it was in or what number  
22 the bay, you were looking at the individual drug name  
23 for each?  
24 A. Yeah, the bay and the name of the drug.

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1 Q. The bay and the name of the drug, okay.  
2 And there were -- do you recall whether  
3 there were small bottles, big bottles and bigger  
4 bottles?  
5 A. I don't remember.  
6 MR. HYNES: Objection to form.  
7 BY MR. ELSNER:  
8 Q. All right. Do you know why as a general  
9 rule that she would not generally pull more than  
10 12 bottles of the small hydrocodone drugs?  
11 A. I don't know.  
12 MR. HYNES: Objection to form.  
13 BY MR. ELSNER:  
14 Q. You don't know, okay.  
15 She said that she -- for the big bottles  
16 of hydrocodone combination products she wouldn't pull  
17 more than five bottles.  
18 Do you know why?  
19 MR. HYNES: Objection to form.  
20 BY THE WITNESS:  
21 A. No.  
22 BY MR. ELSNER:  
23 Q. Do you know whether that is a general rule  
24 or not?

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1 A. I don't know.  
2 MR. HYNES: Objection to form.  
3 BY MR. ELSNER:  
4 Q. You don't know.  
5 Do you know how many pills were in the big  
6 bottles of hydrocodone?  
7 MR. HYNES: Objection to form.  
8 BY THE WITNESS:  
9 A. No.  
10 BY MR. ELSNER:  
11 Q. Do you know why she was pulling five  
12 instead of four -- I mean, not willing to pull five  
13 instead of four bottles or six bottles?  
14 MR. HYNES: Objection to form.  
15 BY THE WITNESS:  
16 A. I don't know.  
17 BY MR. ELSNER:  
18 Q. And -- and I guess, lastly, just to round  
19 this out, she -- she then testified that for the  
20 largest bottle of hydrocodone combination products  
21 that she wouldn't pull more than two or three.  
22 Have you heard of that as a general rule?  
23 MR. HYNES: Objection to form.  
24 BY THE WITNESS:

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1 A. I don't know.  
2 BY MR. ELSNER:  
3 Q. Okay. Do you know how many pills are in  
4 the biggest bottles of hydrocodone?  
5 MR. HYNES: Objection to form.  
6 BY THE WITNESS:  
7 A. No.  
8 BY MR. ELSNER:  
9 Q. Do you have any sense at all?  
10 A. No, I have no idea.  
11 MR. HYNES: Same objection.  
12 BY MR. ELSNER:  
13 Q. Sorry?  
14 A. I have -- no, I have no idea.  
15 Q. You have no idea.  
16 Do you know why she was -- had that  
17 general rule of two or three instead of one or four?  
18 A. No.  
19 MR. HYNES: Objection to form.  
20 Just give me a second.  
21 BY MR. ELSNER:  
22 Q. Were there -- were there any times in  
23 which a picker brought to your attention an issue with  
24 an order from a pharmacy?

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| <p style="text-align: right;">Page 66</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And how would they bring that to</p> <p>3 your attention?</p> <p>4 A. They would call me or come find me.</p> <p>5 Q. Okay. And -- and what -- and then what</p> <p>6 would they say?</p> <p>7 A. They -- they would come and they said it's</p> <p>8 about a big number.</p> <p>9 Q. A big number?</p> <p>10 A. Um-hum.</p> <p>11 Q. Okay. And then what would you do?</p> <p>12 A. I would go to the pharmacy manager, let</p> <p>13 them know that they had a concern about an item. And</p> <p>14 I'll go back to my desk, do my other duties, come back</p> <p>15 and ask him what he wants me to do.</p> <p>16 Q. Okay. Now, when they say "a big number,"</p> <p>17 what -- what do you -- what do you mean by that?</p> <p>18 A. It's an out -- an out of the ordinary.</p> <p>19 Q. Out of the ordinary number.</p> <p>20 So the -- when they would bring the big</p> <p>21 out of -- out of ordinary number to your attention,</p> <p>22 would -- what information would they give you?</p> <p>23 A. They would give me the whole -- give me</p> <p>24 the order with the name of the product in it and how</p> | <p style="text-align: right;">Page 68</p> <p>1 sometime in the last four or five years, is that</p> <p>2 right?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Yes.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Okay. Okay.</p> <p>8 So, we are in 2019 now. We are talking</p> <p>9 about -- do you -- what's your best estimate of when</p> <p>10 this happened?</p> <p>11 MR. HYNES: Objection to form.</p> <p>12 BY THE WITNESS:</p> <p>13 A. I'm not sure what you are you asking me.</p> <p>14 The voice, when we -- when I was on voice --</p> <p>15 BY MR. ELSNER:</p> <p>16 Q. No, no, no.</p> <p>17 A. -- or when I started?</p> <p>18 Q. No, no. Let me -- let me go back. Let me</p> <p>19 go back. Let me do a better job.</p> <p>20 Okay. So the time that you're</p> <p>21 recalling -- one of the times that you are recalling</p> <p>22 that someone brought to your attention an order that</p> <p>23 was a big number, they brought to you -- it was -- it</p> <p>24 was during the voice system?</p> |
| <p style="text-align: right;">Page 67</p> <p>1 many pieces.</p> <p>2 Q. And would they give that to you in</p> <p>3 writing -- how -- in what format?</p> <p>4 A. In hand -- in hand, to hold, they give me</p> <p>5 the order in hand.</p> <p>6 Q. They give you the actual order?</p> <p>7 A. Yes.</p> <p>8 Q. And so when they are -- so at this time</p> <p>9 when they were doing the -- the picking, were you</p> <p>10 using the light system?</p> <p>11 A. It was on voice system.</p> <p>12 Q. I'm sorry?</p> <p>13 A. They were on the voice system then.</p> <p>14 MR. HYNES: Object to form.</p> <p>15 BY MR. ELSNER:</p> <p>16 Q. Okay. So when this occurred, it was</p> <p>17 during the voice system, not --</p> <p>18 MR. HYNES: Objection to form.</p> <p>19 BY MR. ELSNER:</p> <p>20 Q. -- during the light system?</p> <p>21 A. Yes.</p> <p>22 MR. HYNES: Objection to form.</p> <p>23 BY MR. ELSNER:</p> <p>24 Q. Okay. So sometime -- we are talking about</p>   | <p style="text-align: right;">Page 69</p> <p>1 A. Yes, when we were downstairs.</p> <p>2 Q. When you are downstairs, okay.</p> <p>3 And they -- and they brought to you a</p> <p>4 physical order?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. So when the picker goes through and</p> <p>7 is picking things, even with the voice system, do they</p> <p>8 also have a hard copy of the order?</p> <p>9 A. Yes.</p> <p>10 Q. Okay. So they brought that to you?</p> <p>11 A. Yes.</p> <p>12 Q. And -- and -- and any other information or</p> <p>13 is that it?</p> <p>14 A. That's it.</p> <p>15 Q. Okay. And then when you got that, did you</p> <p>16 then refer that to the pharmacy manager every time</p> <p>17 that happened?</p> <p>18 A. Yes.</p> <p>19 Q. No matter what?</p> <p>20 A. No matter what.</p> <p>21 Q. Okay. Did you yourself do any</p> <p>22 investigation on that order?</p> <p>23 A. No.</p> <p>24 MR. HYNES: Objection to form.</p>   |

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1 BY MR. ELSNER:  
2 Q. Okay. You just gave it to the pharmacy  
3 manager?  
4 A. Yes.  
5 MR. HYNES: Objection to form.  
6 BY MR. ELSNER:  
7 Q. Okay. Now, on the occasions when that  
8 happened, you gave the information to the pharmacy  
9 manager, and then would you do that orally or by phone  
10 or hand it to --  
11 A. I would hand it to him.  
12 Q. Hand it to him, okay.  
13 You would go to their office?  
14 A. Yes.  
15 Q. Okay. What does the picker do while we  
16 are waiting for the resolution of that order?  
17 A. They would pick another -- they would go  
18 to another order.  
19 Q. They would go back in, start -- start  
20 anew.  
21 So that order is stopped for the moment  
22 until we resolve that issue, is that right?  
23 A. Yes.  
24 Q. Okay. Now, how long did it generally take

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1 the pharmacy manager to evaluate the big number?  
2 A. I don't know.  
3 MR. HYNES: Objection to form.  
4 BY THE WITNESS:  
5 A. I don't know.  
6 BY MR. ELSNER:  
7 Q. Was it -- was it usually evaluated and  
8 resolved the same day?  
9 A. Yes.  
10 Q. Okay. Because it meant that that pharmacy  
11 isn't going to get any of their drugs if they don't  
12 resolve this issue, is that right?  
13 MR. HYNES: Objection to form.  
14 BY THE WITNESS:  
15 A. I don't know.  
16 BY MR. ELSNER:  
17 Q. You don't know.  
18 They -- well, were there circumstances in  
19 which you recall it would go to the next day or would  
20 it always be resolved in a single day?  
21 A. I don't remember.  
22 Q. When the pharmacy manager came back, what  
23 would they tell you about the resolution of the big  
24 number?

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1 A. They --  
2 MR. HYNES: Objection to form.  
3 BY THE WITNESS:  
4 A. They would tell me to -- to call the store  
5 to verify they want that order, that amount. They  
6 would tell me to cut it back or send it. Then I would  
7 give -- relay that information back to the pharmacy  
8 manager.  
9 BY MR. ELSNER:  
10 Q. Okay. So on some occasions they actually  
11 asked you to call the store to verify that  
12 information, is that right?  
13 A. Yes.  
14 Q. And when you called the store, who did you  
15 speak with?  
16 A. I'm not sure who I was speaking to.  
17 Q. Just whoever -- whoever answered the  
18 phone?  
19 A. (Nodding head.)  
20 Q. Okay. And what questions would you ask?  
21 A. I would ask them to -- then I would ask --  
22 I would give them the name of the drug --  
23 Q. Uh-huh.  
24 A. -- and the amount that's on the order and

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1 ask them, Do you want that amount.  
2 Q. Okay. And they would say yes or no?  
3 MR. HYNES: Objection to form. Objection to  
4 form.  
5 BY THE WITNESS:  
6 A. Yes.  
7 BY MR. ELSNER:  
8 Q. Did you -- did you do anything else with  
9 respect to investigating the order?  
10 MR. HYNES: Objection to form.  
11 BY THE WITNESS:  
12 A. That's it.  
13 BY MR. ELSNER:  
14 Q. Okay. You didn't look at how many -- how  
15 many orders they placed for that drug in the last six  
16 months or the last year?  
17 A. No.  
18 Q. You didn't look at how many controlled  
19 substances they had ordered versus non-controlled  
20 substances?  
21 MR. HYNES: Objection to form.  
22 BY THE WITNESS:  
23 A. No.  
24 BY MR. ELSNER:

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1 Q. You didn't consider whether the pharmacy  
2 was ordering controlled substances from other  
3 distributors of controlled substances, right?  
4 MR. HYNES: Objection to the form.  
5 BY THE WITNESS:  
6 A. No.  
7 BY MR. ELSNER:  
8 Q. Okay. Did you consider the size of the  
9 pharmacy that was placing the order?  
10 A. No.  
11 MR. HYNES: Objection to form.  
12 BY MR. ELSNER:  
13 Q. Did you consider the location of the  
14 pharmacy that was placing the order?  
15 A. No.  
16 MR. HYNES: Objection to form.  
17 BY MR. ELSNER:  
18 Q. Now, when the -- when a pharmacy would  
19 say, No, I didn't -- I didn't mean to place that order  
20 of that size, did that ever occur?  
21 A. Yes.  
22 Q. Okay. What would you do then?  
23 A. I would ask them how many -- how many did  
24 they want, cut it -- cut them back and give the

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1 information, bring the information back to my pharmacy  
2 manager.  
3 Q. Okay. So -- so were there circumstances  
4 where somebody kind of mistyped in the number of pills  
5 that they wanted to order?  
6 A. I don't know.  
7 Q. Well, was there -- were -- were there  
8 circumstances where there was a really big number and  
9 you called and they said, Oh, no, that was a mistake,  
10 I must have typed it in wrong?  
11 Have you ever heard of the expression "fat  
12 finger"?  
13 A. I heard the expression -- I have heard the  
14 expression, yes.  
15 Q. What's your understanding of that?  
16 A. So, they hit the wrong number --  
17 Q. Right.  
18 A. -- when they were typing it in.  
19 Q. Like I do almost every day when I type.  
20 A. I've done it before.  
21 Q. And -- and when that would happen, you  
22 would then reduce the number to the number that  
23 they -- they said they intended to order, is that  
24 right?

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1 A. Yes.  
2 MR. HYNES: Objection to form.  
3 BY MR. ELSNER:  
4 Q. Okay. Now, what -- what would you -- how  
5 would you do that? Would you -- would you write it on  
6 the sheet? How -- how would you reduce it?  
7 MR. HYNES: Objection to form.  
8 BY THE WITNESS:  
9 A. I would write it on the order --  
10 BY MR. ELSNER:  
11 Q. Right.  
12 A. -- and then give it to my manager -- give  
13 it to the pharmacy manager.  
14 Q. Pharmacy manager.  
15 And do you know what the pharmacy manager  
16 did with it?  
17 A. I don't know.  
18 Q. Would you then tell the -- the picker that  
19 the issue is resolved?  
20 MR. HYNES: Objection to form.  
21 BY THE WITNESS:  
22 A. No.  
23 BY MR. ELSNER:  
24 Q. How -- how would -- what would happen

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1 after the pharmacy manager received that information  
2 from you?  
3 A. I would go back to my regular duties, come  
4 back later and ask him what he wants me to do.  
5 Q. Okay. And then he'd make -- and then he'd  
6 tell you?  
7 A. To go ahead and do what the -- go ahead  
8 and cut it back, what the pharmacy asks.  
9 Q. All right. And then how would you make  
10 that change in the system?  
11 A. I would change on the order --  
12 Q. Yes.  
13 A. -- mark it out, put the correct amount,  
14 what the store asked for, give that order to the  
15 pickers, make a copy of it first, tell the pickers  
16 what the -- to change the amount to, key it into the  
17 computer, make copies of it showing my adjustment in  
18 the computer.  
19 Q. Okay. And you said you made a photocopy  
20 of it as well, is that right?  
21 A. Yes.  
22 Q. Where did you keep the photocopies?  
23 MR. HYNES: Objection to the form.  
24 BY MR. ELSNER:



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| <p style="text-align: right;">Page 78</p> <p>1 Q. Or did you keep the photocopies?</p> <p>2 A. I didn't. I gave it to the supervisor.</p> <p>3 Q. You gave it to which?</p> <p>4 A. To my -- the manager.</p> <p>5 Q. The pharmacy?</p> <p>6 A. Man -- the pharmacy manager.</p> <p>7 Q. The pharmacy manager.</p> <p>8 You also said you -- you put it in the</p> <p>9 computer, is that what you said?</p> <p>10 A. You have to change -- you have to change</p> <p>11 it in the computer so when they go back to scan the</p> <p>12 order to verify it, it would show up on the computer</p> <p>13 in the system.</p> <p>14 Q. Okay. And you were able to -- to make</p> <p>15 that change in the computer?</p> <p>16 A. Yes.</p> <p>17 Q. Yourself?</p> <p>18 A. Yes.</p> <p>19 Q. Okay. And was it documented any other</p> <p>20 way? Is it documented in the computer that that</p> <p>21 change was made?</p> <p>22 A. Yes, it is documented in the computer,</p> <p>23 then the copies and also on the scan report, once they</p> <p>24 are finished, they would scan that order, it would</p>   | <p style="text-align: right;">Page 80</p> <p>1 Yes, we actually intended to order the amount that we</p> <p>2 ordered?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Yes.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Okay. And in those circumstances, you</p> <p>8 would bring that to the pharmacy manager's attention?</p> <p>9 A. Yes.</p> <p>10 Q. The same, same system, you'd -- you'd --</p> <p>11 you'd -- how would you -- how would you relay that</p> <p>12 information to the pharmacy manager?</p> <p>13 A. I would take him the order, show him the</p> <p>14 order and tell him that they said they wanted all --</p> <p>15 tell him they want them all. And then I would go back</p> <p>16 to my regular duties.</p> <p>17 Q. Okay. Did you write anything other -- was</p> <p>18 it written on the order or you just --</p> <p>19 A. That's it.</p> <p>20 Q. -- you just told him?</p> <p>21 A. I just told him because I didn't have to</p> <p>22 change it because they wanted it all, so I didn't have</p> <p>23 to change anything on the order.</p> <p>24 Q. Okay. What would happen next?</p> |
| <p style="text-align: right;">Page 79</p> <p>1 show up on that.</p> <p>2 Q. Okay. Now, what would happen when you</p> <p>3 called the store -- did it ever happen when you called</p> <p>4 the store and they said, yes, we actually intended</p> <p>5 to -- to order that amount?</p> <p>6 A. Yes.</p> <p>7 Q. Okay. And what would you do when they</p> <p>8 told you that, would you ask -- would you ask them why</p> <p>9 or ask them any other questions?</p> <p>10 A. I would tell my manager supervisor, the</p> <p>11 pharmacy manager.</p> <p>12 Q. Okay. So your conversation with the</p> <p>13 pharmacy when you called was, Is this what you</p> <p>14 intended to actually order or not, yes or no?</p> <p>15 A. Yes.</p> <p>16 MR. HYNES: Objection to form.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. Would you ask any other questions of the</p> <p>19 pharmacist or anyone else at the pharmacy you spoke</p> <p>20 to?</p> <p>21 A. No.</p> <p>22 Q. Okay. All right.</p> <p>23 So in a situation where -- did it ever</p> <p>24 happen where you called the pharmacy and they said,</p> | <p style="text-align: right;">Page 81</p> <p>1 A. I --</p> <p>2 MR. HYNES: Objection to form.</p> <p>3 BY THE WITNESS:</p> <p>4 A. I would give the order to the man --</p> <p>5 pharmacy supervisor.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Okay. And -- and then what would happen?</p> <p>8 A. I would go back to my regular duties.</p> <p>9 Q. Okay. And then would that pharmacy</p> <p>10 supervisor then come back to you?</p> <p>11 A. Yes.</p> <p>12 Q. And -- and what -- what would he say?</p> <p>13 MR. HYNES: Objection to form.</p> <p>14 BY THE WITNESS:</p> <p>15 A. He'd -- he'd tell me to send it or cut it</p> <p>16 back.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. Okay. Are there circumstances in which he</p> <p>19 said, Yes, send it?</p> <p>20 A. Yes.</p> <p>21 MR. HYNES: Objection to form.</p> <p>22 BY MR. ELSNER:</p> <p>23 Q. And there are circumstances where he said,</p> <p>24 Cut it back?</p>  |



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| <p style="text-align: right;">Page 82</p> <p>1 A. Yes.</p> <p>2 Q. Okay. And then did you receive that</p> <p>3 information orally or did you -- or -- or was it in</p> <p>4 writing?</p> <p>5 A. Orally.</p> <p>6 Q. Orally.</p> <p>7 And then what would you do with the</p> <p>8 information?</p> <p>9 A. I would relay it to the pickers.</p> <p>10 Q. Would you change it in the computer system</p> <p>11 if it needed to be changed?</p> <p>12 A. If it needed to be changed, yes.</p> <p>13 Q. Same system, you'd make a photocopy of the</p> <p>14 change if there was a change?</p> <p>15 A. Yes.</p> <p>16 Q. If there was not a change, if they</p> <p>17 actually intended to do it and the pharmacy supervisor</p> <p>18 said -- came back and said, Fill it as ordered, did</p> <p>19 you do anything different?</p> <p>20 MR. HYNES: Objection to form.</p> <p>21 BY THE WITNESS:</p> <p>22 A. No.</p> <p>23 BY MR. ELSNER:</p> <p>24 Q. Okay. You -- you just told the picker</p>   | <p style="text-align: right;">Page 84</p> <p>1 back around 2006 to 2014.</p> <p>2 Is this something that would occur, you</p> <p>3 know, maybe once a quarter or once every six months or</p> <p>4 is this something that would occur every day?</p> <p>5 MR. HYNES: Objection to form.</p> <p>6 BY THE WITNESS:</p> <p>7 A. I don't remember.</p> <p>8 BY MR. ELSNER:</p> <p>9 Q. I know it's hard to remember everything</p> <p>10 that I'm asking, but I really want you to try to do</p> <p>11 your best to tell me, is this something that was a</p> <p>12 routine part of your job that occurred every single</p> <p>13 day?</p> <p>14 MR. HYNES: Objection to form.</p> <p>15 BY THE WITNESS:</p> <p>16 A. Not every single day.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. Okay. Is it something that was routine</p> <p>19 enough that it occurred once a week?</p> <p>20 MR. HYNES: Objection to form.</p> <p>21 BY THE WITNESS:</p> <p>22 A. Not every week.</p> <p>23 BY MR. ELSNER:</p> <p>24 Q. Not every week.</p> |
| <p style="text-align: right;">Page 83</p> <p>1 that -- that it was actually the right amount and the</p> <p>2 pharmacy supervisor approved it and go -- you can</p> <p>3 resume picking that pharmacy?</p> <p>4 A. Yes.</p> <p>5 MR. HYNES: Objection to form.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Okay. So no changes were made?</p> <p>8 A. No changes.</p> <p>9 Q. Did you ever have conversations with the</p> <p>10 pharmacy manager about why if a pharmacy had placed an</p> <p>11 order and he said, Yes, fill it, did you have a</p> <p>12 conversation as to what the pharmacy meant --</p> <p>13 supervisor did?</p> <p>14 MR. HYNES: Objection to form.</p> <p>15 BY THE WITNESS:</p> <p>16 A. No.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. Okay. You don't know what the pharmacy</p> <p>19 supervisor considered at all in eval -- making that</p> <p>20 decision, is that right?</p> <p>21 A. No.</p> <p>22 Q. Okay.</p> <p>23 I want to go back and -- and ask your best</p> <p>24 estimate as to how often this would occur, you know,</p> | <p style="text-align: right;">Page 85</p> <p>1 Was it something that was routine enough</p> <p>2 that would occur every month?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. Not every month.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Okay.</p> <p>8 So this was more of a sort of out of</p> <p>9 ordinary experience, is that --</p> <p>10 MR. HYNES: Objection to form.</p> <p>11 BY MR. ELSNER:</p> <p>12 Q. -- is that accurate?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. Do you know whether it would occur</p> <p>15 once every six months?</p> <p>16 MR. HYNES: Objection to form.</p> <p>17 BY THE WITNESS:</p> <p>18 A. Maybe.</p> <p>19 BY MR. ELSNER:</p> <p>20 Q. Maybe.</p> <p>21 It could be -- it could be not even once</p> <p>22 every six months, is that right?</p> <p>23 MR. HYNES: Objection to form.</p> <p>24 BY THE WITNESS:</p>  |

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| <p style="text-align: right;">Page 86</p> <p>1 A. (Nodding head.)</p> <p>2 BY MR. ELSNER:</p> <p>3 Q. Okay. Are you pretty confident that it</p> <p>4 occurred ev- -- at least there was one every year?</p> <p>5 A. Yes.</p> <p>6 Q. Okay. And -- and that's for all of the</p> <p>7 control drugs, is that right?</p> <p>8 A. Yes.</p> <p>9 Q. Okay. Now I want to ask you specifically</p> <p>10 for hydrocodone combination products.</p> <p>11 For hydrocodone combination products,</p> <p>12 would there be a question raised with you about a big</p> <p>13 order for those once a year?</p> <p>14 MR. HYNES: Objection to form.</p> <p>15 BY THE WITNESS:</p> <p>16 A. I don't remember.</p> <p>17 BY MR. ELSNER:</p> <p>18 Q. It could be more than that?</p> <p>19 A. I -- I just don't remember.</p> <p>20 Q. Okay. Do you recall whether there were</p> <p>21 any calls that you made related to a hydrocodone</p> <p>22 combination product order?</p> <p>23 MR. HYNES: Objection to form.</p> <p>24 BY THE WITNESS:</p> | <p style="text-align: right;">Page 88</p> <p>1 Do you know whether there was different</p> <p>2 criteria for different drugs in the control drug room?</p> <p>3 MR. HYNES: Objection to form.</p> <p>4 BY THE WITNESS:</p> <p>5 A. I don't know.</p> <p>6 BY MR. ELSNER:</p> <p>7 Q. Do you know whether a CVS picker is</p> <p>8 evaluated based on how -- what their rate of pick is?</p> <p>9 MR. HYNES: Objection to form.</p> <p>10 BY THE WITNESS:</p> <p>11 A. I'm not sure how they are evaluated.</p> <p>12 BY MR. ELSNER:</p> <p>13 Q. Have you ever heard pickers talking about</p> <p>14 how quickly they are able to pick an order?</p> <p>15 A. Do you mean their rate?</p> <p>16 Q. Yeah, I mean how quickly they can -- they</p> <p>17 can pick a pharmacy's order?</p> <p>18 A. No.</p> <p>19 Q. Okay. Do you know whether CVS tracked</p> <p>20 that in any kind of way, the pace at which someone</p> <p>21 would be able to pick an order?</p> <p>22 A. I -- I know they do. I just don't know</p> <p>23 how.</p> <p>24 Q. You -- you know they have a system but you</p> |
| <p style="text-align: right;">Page 87</p> <p>1 A. I don't remember.</p> <p>2 BY MR. ELSNER:</p> <p>3 Q. When the picker came to you and said that</p> <p>4 this is a -- a big number, did -- did they tell you</p> <p>5 that it was a big number based on the particular size</p> <p>6 of the -- the box of product?</p> <p>7 MR. HYNES: Objection to form.</p> <p>8 BY THE WITNESS:</p> <p>9 A. No.</p> <p>10 BY MR. ELSNER:</p> <p>11 Q. Okay.</p> <p>12 Do you know why the picker determined that</p> <p>13 they thought that what they were asked to pick was a</p> <p>14 big number?</p> <p>15 MR. HYNES: Objection to form.</p> <p>16 BY THE WITNESS:</p> <p>17 A. I don't know.</p> <p>18 BY MR. ELSNER:</p> <p>19 Q. You don't know what the criteria were that</p> <p>20 they used to determine whether it was a --</p> <p>21 A. I don't know the cri- --</p> <p>22 Q. -- big number or not?</p> <p>23 A. I didn't know the criteria they used.</p> <p>24 Q. You didn't know the criteria.</p>                               | <p style="text-align: right;">Page 89</p> <p>1 are not sure what the system is?</p> <p>2 A. Yes.</p> <p>3 Q. Do you know whether the system is</p> <p>4 electronic or whether -- do they do time studies and</p> <p>5 does someone evaluate that?</p> <p>6 A. I don't know.</p> <p>7 Q. There is -- there is a camera in the</p> <p>8 control room, is that right?</p> <p>9 A. Yes.</p> <p>10 Q. Has it been there the whole time that</p> <p>11 you've served in the inventory control for the con --</p> <p>12 for the control cage?</p> <p>13 A. Yes.</p> <p>14 Q. Okay. And do you know who's responsible</p> <p>15 for maintaining the -- the film and how long it's</p> <p>16 kept?</p> <p>17 A. I don't know.</p> <p>18 Q. Okay. Is there one camera or more than</p> <p>19 one camera?</p> <p>20 A. More than one.</p> <p>21 Q. Okay. So is there a camera on the door?</p> <p>22 A. I'm not sure it's on the door, but it is</p> <p>23 on the pickers.</p> <p>24 Q. Okay.</p>  |

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| <p>1 Do your best to describe for me where the<br/>2 cameras are in the control cage.<br/>3 A. They would be facing them, right here,<br/>4 they would be facing them this way.<br/>5 Q. Okay. And how many would there be?<br/>6 A. I'm not sure how many cameras are there.<br/>7 I think it's one -- I think it's one facing.<br/>8 Q. One camera that does the whole cage?<br/>9 A. It does -- one camera does one side, one<br/>10 does the CSA side and there is a camera that does the<br/>11 PSE side.<br/>12 Q. Okay. So the cage is divided between the<br/>13 controlled substances on one side and the PSEs on<br/>14 another side?<br/>15 A. Yes.<br/>16 Q. Does a picker who is picking a pharmacy<br/>17 order pick both PSEs and controlled substances at one<br/>18 time?<br/>19 A. This -- this -- this has -- one -- this<br/>20 one side picks PSE only, this one side picks CSA<br/>21 only --<br/>22 Q. Okay.<br/>23 A. -- controlled substance only.<br/>24 Q. Okay. There are some pickers who just</p> | <p>1 are asking me.<br/>2 Q. So for each day you had a list of the<br/>3 pharmacy orders -- there was a -- there was a -- there<br/>4 was entered into the system all of the pharmacies that<br/>5 are -- whose orders were going to be filled that day?<br/>6 A. Yes.<br/>7 Q. Is that right?<br/>8 Okay. Do you have any sense of how many<br/>9 pharmacies' orders would be filled in a day?<br/>10 MR. HYNES: Objection to form.<br/>11 BY THE WITNESS:<br/>12 A. No.<br/>13 BY MR. ELSNER:<br/>14 Q. Was it the goal each day to complete all<br/>15 of those orders in that day?<br/>16 A. Yes.<br/>17 Q. Okay. Do you know how often a pharmacy<br/>18 could place an order for controlled drugs?<br/>19 A. I don't know.<br/>20 Q. Do you know whether it could be daily or<br/>21 weekly?<br/>22 MR. HYNES: Objection to form.<br/>23 BY THE WITNESS:<br/>24 A. I don't know.</p> |
| Page 91   | Page 93  |
| <p>1 specialize in PSEs and some who specialize just in the<br/>2 controlled substances?<br/>3 A. Yes.<br/>4 MR. ELSNER: Let's take a quick break.<br/>5 MR. HYNES: Sure.<br/>6 THE VIDEOGRAPHER: We are off the record at<br/>7 10:06 a.m.<br/>8 (WHEREUPON, a recess was had<br/>9 from 10:06 to 10:15 a.m.)<br/>10 THE VIDEOGRAPHER: We are back on the record at<br/>11 10:15 a.m.<br/>12 BY MR. ELSNER:<br/>13 Q. Ms. Hinkle, in the control cage, when the<br/>14 pickers are picking an order for a particular<br/>15 pharmacy, were the pickers trying to pick all of the<br/>16 orders for one particular day and finish those orders<br/>17 in one day?<br/>18 A. I don't --<br/>19 MR. HYNES: Objection to form.<br/>20 BY THE WITNESS:<br/>21 A. Can you say that -- re -- rephrase that.<br/>22 BY MR. ELSNER:<br/>23 Q. Okay.<br/>24 A. I don't understand your question, what you</p>  | <p>1 BY MR. ELSNER:<br/>2 Q. You don't know.<br/>3 Did you consider that or examine that when<br/>4 you called the pharmacy?<br/>5 MR. HYNES: Objection to form.<br/>6 BY THE WITNESS:<br/>7 A. No.<br/>8 BY MR. ELSNER:<br/>9 Q. Did -- did you ask them when the last time<br/>10 was that you placed an order for this product?<br/>11 A. No.<br/>12 MR. ELSNER: Okay. I'm going to pass the<br/>13 witness at this time.<br/>14 MR. HYNES: Okay. Can I just have five minutes?<br/>15 I've got to check --<br/>16 MR. ELSNER: Sure.<br/>17 MR. HYNES: -- one thing and then I'll...<br/>18 MR. ELSNER: We're going to go off the record.<br/>19 THE VIDEOGRAPHER: We are off the record at<br/>20 10:16 a.m.<br/>21 (WHEREUPON, a recess was had<br/>22 from 10:16 to 10:27 a.m.)<br/>23 THE VIDEOGRAPHER: We are back on the record at<br/>24 10:27 a.m.</p>                          |

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| <p style="text-align: right;">Page 94</p> <p>1 MR. ELSNER: I -- I pass the witness.</p> <p>2 MR. HYNES: I have no -- no questions for the</p> <p>3 witness. Thank you for your time everyone.</p> <p>4 MR. ELSNER: Thank you, Ms. Hinkle.</p> <p>5 THE WITNESS: Thank you.</p> <p>6 THE VIDEOGRAPHER: We are off the record at</p> <p>7 10:27 a.m. This concludes the videotape deposition of</p> <p>8 Sherri Hinkle.</p> <p>9 (Time Noted: 10:27 a.m.)</p> <p>10 FURTHER DEPONENT SAITH NOT.</p> <p>11</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p>  | <p style="text-align: right;">Page 96</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2</p> <p>3</p> <p>4 Case Caption: In Re: National Prescription</p> <p>5 Opiate Litigation</p> <p>6</p> <p>7 DECLARATION UNDER PENALTY OF PERJURY</p> <p>8</p> <p>9 I declare under penalty of perjury that I</p> <p>10 have read the entire transcript of my Deposition taken</p> <p>11 in the captioned matter or the same has been read to</p> <p>12 me, and the same is true and accurate, save and except</p> <p>13 for changes and/or corrections, if any, as indicated</p> <p>14 by me on the DEPOSITION ERRATA SHEET hereof, with the</p> <p>15 understanding that I offer these changes as if still</p> <p>16 under oath.</p> <p>17</p> <p>18 SHERRI HINKLE</p> <p>19</p> <p>20 SUBSCRIBED AND SWORN TO</p> <p>21 before me this day</p> <p>22 of , A.D. 20__.</p> <p>23</p> <p>24 Notary Public</p> |
| <p style="text-align: right;">Page 95</p> <p>1 REPORTER'S CERTIFICATE</p> <p>2</p> <p>3 I, JULIANA F. ZAJICEK, C.S.R. No. 84-2604,</p> <p>4 a Certified Shorthand Reporter, do hereby certify:</p> <p>5 That previous to the commencement of the</p> <p>6 examination of the witness herein, the witness was</p> <p>7 duly sworn to testify the whole truth concerning the</p> <p>8 matters herein;</p> <p>9 That the foregoing deposition transcript</p> <p>10 was reported stenographically by me, was thereafter</p> <p>11 reduced to typewriting under my personal direction and</p> <p>12 constitutes a true record of the testimony given and</p> <p>13 the proceedings had;</p> <p>14 That the said deposition was taken before</p> <p>15 me at the time and place specified;</p> <p>16 That I am not a relative or employee or</p> <p>17 attorney or counsel, nor a relative or employee of</p> <p>18 such attorney or counsel for any of the parties</p> <p>19 hereto, nor interested directly or indirectly in the</p> <p>20 outcome of this action.</p> <p>21 IN WITNESS WHEREOF, I do hereunto set my</p> <p>22 hand on this 29th day of January, 2019.</p> <p>23</p> <p>24 JULIANA F. ZAJICEK, Certified Reporter</p> | <p style="text-align: right;">Page 97</p> <p>1 DEPOSITION ERRATA SHEET</p> <p>2 Page No.____Line No.____Change to:_____</p> <p>3 _____</p> <p>4 Reason for change:_____</p> <p>5 Page No.____Line No.____Change to:_____</p> <p>6 _____</p> <p>7 Reason for change:_____</p> <p>8 Page No.____Line No.____Change to:_____</p> <p>9 _____</p> <p>10 Reason for change:_____</p> <p>11 Page No.____Line No.____Change to:_____</p> <p>12 _____</p> <p>13 Reason for change:_____</p> <p>14 Page No.____Line No.____Change to:_____</p> <p>15 _____</p> <p>16 Reason for change:_____</p> <p>17 Page No.____Line No.____Change to:_____</p> <p>18 _____</p> <p>19 Reason for change:_____</p> <p>20 Page No.____Line No.____Change to:_____</p> <p>21 _____</p> <p>22 Reason for change:_____</p> <p>23 SIGNATURE:_____DATE:_____</p> <p>24 SHERRI HINKLE</p>                                 |

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